

## **REMARKS**

Applicant responds hereby to the outstanding Office Action mailed July 31, 2007, in the above-identified application. Each of claims 1-15 remain pending hereinafter, where claims 1, 10, 11, 12 and 15 are the independent claims.

### **Response To Rejections Under 35 USC §103(a)**

**I.** Claims 1-4, 10 and 11 were rejected under 35 USC § 102(a) as obvious over US Patent No. 5,949,880 to Curry, et al. (Curry) in view of US Patent No. 6,615,193 to Kingdon, et al. (Kingdon).

#### **Claim 1**

With respect to claim 1, the Examiner asserts that Curry teaches an electronic purse data carrier for performing monetary transactions including a storage means for storing one or more payment units each having a respective monetary value (Fig. 2, Fig. 5, step Y12, col. 3, lines 56-65), and that each payment comprises an age information for delimiting use of the payment unit (Fig. 2, col. 3, lines 66-7, col. 4, lines 1-4). The Examiner identifies that Curry does not teach that each said payment units have unique respective payment unit ID, but that Kingdon discloses that each said payment units have unique respective payment unit ID (Kingdon's Figs. 3-5, col. 5, lines 25-67), and that under the law of Section 103(a), the proposed combination would have been obvious because Kingdon teaches that by requiring each said payment units to have unique respective payment unit ID numbers can be used to access fraud (col. 3, lines 2-7).

Applicant's independent claim 1 sets forth an electronic purse data carrier for performing monetary transactions, comprising a storage means for storing one or more payment units each having a respective monetary value, each of said payment units comprising an age information

evaluatable for delimiting the use of the payment unit, and each of said payment units having a respective unique payment unit-ID.

As distinguished, Curry discloses a system 100 and method for communicating a cash equivalent electronically to and from a portable module 102, which may be used as a cash equivalent when buying products and services in the marketplace. The Curry portable module communicates via a microprocessor based device 108, and may be carried by a consumer, filled with electronic money at an add-money station, and is debited by a merchant when a product or service is purchased. After a purchase, the merchant's cash drawer indicates a commensurate increase in cash value. Curry includes means for communicating 106 between the portable module 102 and the microprocessor based device 104.

Curry at col. 3, lines 56-65, states that Curry's portable module 102 comprises a nonvolatile memory 202 for storing and retrieving vital information pertaining to the system to which the module 102 may become attached. Memory 202 may contain a scratchpad memory that acts as a buffer when writing into memory. Nowhere does the text or drawing figures suggest storage means for storing payment units each having a respective monetary value.

Curry at col. 3, lines 66-67, and col. 4, lines 1-4, describes that Curry's module 102 includes a counter 206 for keeping track of the number of transactions the module has performed. Fig. 2 shows the counter. Applicant does not find any teaching for payment units, still less payment units comprising an age information for delimiting the use of a payment unit.

And while the Examiner asserts that Curry does not teach that each of said payment units having a **respective unique payment unit-ID**, but that Kingdon does at Figs. 3-5, col. 5, lines 26-57, applicants disagree. Kingdon at col. 5, lines 26-57, teaches the flow of value through a population of users to detect fraud, comprising blocks of electronic value released from a source

into the population of users. The blocks of value each have a predetermined identity tag that are divisible during use to sub blocks with the same identify tag, such that the eventual return of the electronic value to the source can be monitored by the identity tags. The tags are used to audit small changes in value, are used with a tag map with tag register and can include a date and time information. While Kingdon tags do include date and time information, there is nothing found in the cited text and figures to teach or suggest that the Kingdon tags are equivalent to the claimed payment units that comprise an age information evaluable for delimiting the use of the payment unit, and each of said payment units having a respective unique payment unit-ID. Applicants' claimed payment units include a unique payment ID, but are not unique payment IDs, or tags

Hence, combining Curry with Kingdon as proposed by the Examiner will not realize applicant's invention as set forth in independent claim 1. Applicant, therefore, respectfully requests reconsideration and withdrawal of the rejection of claim 1 under Section 103(a) by Curry in view of Kingdon. Because claims 2-4 depend from claim 1, they are patentable for at least the same reasons asserted herein for the patentability of claim 1, and applicant respectfully requests withdrawal of the rejection of claims 2-4 under Section 103(a) in view of Curry and Kingdon.

#### Claim 10

With respect to claim 10, the Examiner asserts that Curry teaches a banking terminal device for accessing purse data stored in the storage means of an electronic purse data carrier for performing monetary transactions, the storage means storing one or more payment units each having a respective monetary value (Fig. 1), characterized by each of said payment units comprising an age information evaluable for delimiting the use of the payment unit (Fig. 4, step X1), and each of said payment units having a respective unique payment unit-ID, the banking

terminal device comprising implemented program means for verifying said age information (Fig. 1, col. 3, lines 15-15, step Y6), and implemented program means for resetting said age information after successful verification of said payment unit (Fig. 5, step y13, col. 9, lines 11-12, col. 6, lines 31-43). The Examiner identifies that Curry does not teach that each said payment units have unique respective payment unit ID, but that Kingdon discloses that each said payment units have unique respective payment unit ID (Kingdon's Figs. 3-5, col. 5, lines 25-67), and that under the law of Section 103(a), the proposed combination would have been obvious because Kingdon teaches that by requiring each said payment units to have unique respective payment unit ID numbers can be used to access fraud (col. 3, lines 2-7).

Curry's Fig. 4, X1 identifies Curry's portable module 102 to include an ID number, a transaction counter count and an encrypted data packet, which itself includes an ID number, a transaction count and a monetary value. Curry's portable module 102 is not equivalent to applicants' claimed age information evaluable for delimiting the use of the payment unit.

Curry's col. 3, lines 14-15, and Y6 of Fig. 5 disclose that Curry's credit card reader 114 and ATM 112 can attach to its microprocessor-based device 104, and that secure module compares a transaction count passed in a first data packet with transaction count found in decrypted data y6. Curry does not disclose implemented program means for verifying age information.

Curry's Fig. 5, step Y13, col. 9, lines 11-2 and col. 6, lines 31-43 disclose that Curry's portable module 102 advances its transaction counter, and that within each transaction group 40, secure module 108 accepts commands with irreversible effect. None of the cited Curry disclosure includes implemented program means for resetting said age information after successful verification of said payment unit.

And while the Examiner asserts that Curry does not teach that each of said payment units having a **respective unique payment unit-ID**, but that Kingdon does at Figs. 3-5, col. 5, lines 26-57, applicants disagree. Kingdon at col. 5, lines 26-57, teaches the flow of value through a population of users to detect fraud, comprising blocks of electronic value released from a source into the population of users. The blocks of value each have a predetermined identity tag that are divisible during use to sub blocks with the same identify tag, such that the eventual return of the electronic value to the source can be monitored by the identity tags. The tags are used to audit small changes in value, are used with a tag map with tag register and can include a date and time information. While Kingdon tags do include date and time information, there is nothing found in the cited text and figures to teach or suggest that the Kingdon tags are equivalent to the claimed payment units that comprise an age information evaluable for delimiting the use of the payment unit, and each of said payment units having a respective unique payment unit-ID. Applicants' claimed payment units include a unique payment ID, but are not unique payment IDs, or tags

Hence, combining Curry with Kingdon as proposed by the Examiner will not realize applicant's invention as set forth in independent claim 10. Applicant, therefore, respectfully requests reconsideration and withdrawal of the rejection of claim 10 under Section 103(a) by Curry in view of Kingdon.

#### Claim 11

With respect to claim 11, the Examiner asserts that Curry teaches a trading transaction device, (Curry's microprocessor based device (104)), comprising means for entering a trading price; an input interface for a first mobile electronic purse data carrier for performing monetary transactions (Fig. 1, col. 2, lines 38-45, col. 7, lines 40-44), the carrier comprising a storage means

for storing one or more payment units each having a respective monetary value, characterized by each said payment units comprising an age information evaluable for delimiting the use of the payment unit (Fig. 6, col. 5, lines 63-67; col. 6, lines 4-22, 25-30), a connective interface to a second such carrier (Fig. 1; col. 2, lines 45-68, col. 8, lines 26-29) and means for updating the storage means of both cameras according to the transaction to be traded (Fig. 6, col. 9, lines 10-16) [where the Examiner adds that Curry's microprocessor based device 104 updates monetary values and transaction counts as described in steps Y7 to Y13 in Fig. 5; col. 9, lines 10-16].

The Examiner identifies that Curry does not teach that each said payment units have unique respective payment unit ID, but that Kingdon discloses that each said payment units have unique respective payment unit ID (Kingdon's Figs. 3-5, col. 5, lines 25-67), and that under the law of Section 103(a), the proposed combination would have been obvious because Kingdon teaches that by requiring each said payment units to have unique respective payment unit ID numbers can be used to access fraud (col. 3, lines 2-7).

Applicant's independent claim 11 sets forth a trading transaction device including means for entering a trading price, an input interface for a first mobile electronic purse data carrier for performing monetary transactions, the carrier comprising a storage means for storing one or more payment units each having a respective monetary value, characterized by each of said payment units comprising an age information evaluable for delimiting the use of the payment unit, and each of said payment units having a respective unique payment unit-ID, a connective interface to a second such carrier, and means for updating the storage means of both carriers according to the transaction to be traded.

While the Examiner asserts that Curry, at col. 2, lines 38-45, Fig. 1, and col. 7, lines 40-44, teaches a trading transaction device that includes means for entering a trading price, and an input

interface for performing monetary transactions, applicant respectfully disagrees. Applicant has carefully reviewed the cited text. Curry's col. 2, lines 38-45, Fig. 1, and col. 7, lines 40-44, describe Curry's microprocessor device 104, an operation of same whereby the device provides first data along with a first value, which is the amount of value to be debited from the portable token (the train fare), to secure module 108. Applicant finds no means for entering a trading price, an input interface for a first mobile electronic purse data carrier for performing monetary transactions.

While the Examiner asserts that Curry, at Fig. 6, col. 5, lines 63-67; col. 6, lines 4-22, 25-30, discloses that the carrier comprises a storage means for storing one or more payment units (with a respective monetary value), where the payment units comprise an age information evaluable for delimiting the use of the payment unit, and where each of said payment units includes a respective unique payment unit-ID, applicant respectfully disagrees.

Curry at Fig. 6, col. 5, lines 63-67; col. 6, lines 4-22, 25-30, teaches only a secure microprocessor based device 108, shown connected in Fig. 1 to Curry's microprocessor based device 104. Curry's secure microprocessor based device 108 is not the equivalent of applicant's carrier. One embodiment of applicant's electronic purse data carrier 40 is shown in Fig. 2 to be a smartcard, with a processor 42 and storage area 44. The ID fields of Fig. 1 are stored in smartcard storage area 44, shown connected in applicant's Fig. 1 are not equivalent to Curry's microprocessor based device.

While the Examiner asserts that Curry, at Fig. 1; col. 2, lines 45-68, col. 8, lines 26-29, teaches a connective interface to a second such carrier, applicant respectfully disagrees. With all due respect, the Examiner has asserted that Curry's equivalent to applicant's carrier is "secured microprocessor-based device 108." Element 106 in Fig. 1 is shown connected to Curry's module

102 and microprocessor-based device 104. Nowhere is found a connective interface to a second carrier. Curry's insecure portable module 102 may be another secure module, but does not imply that Curry's secure module in "a connective interface to a second such carrier," applicant's claim element.

While the Examiner asserts that Curry at Fig. 6, and col. 9, lines 10-16 disclose means for updating the storage means of both carriers according to the transaction to be traded, applicant disagrees. Curry's Fig. 6 shows the detail of Curry's secured microprocessor-based device 108. The text at col. 9, lines 10-16, merely states that portable module advances a transaction counter. Nowhere does Curry disclose means for updating the storage means of both carriers according to the transaction to be traded.

And while the Examiner asserts that Curry does not teach that each of said payment units having a **respective unique payment unit-ID**, but that Kingdon does at Figs. 3-5, col. 5, lines 26-57, applicants disagree. Kingdon at col. 5, lines 26-57, teaches the flow of value through a population of users to detect fraud, comprising blocks of electronic value released from a source into the population of users. The blocks of value each have a predetermined identity tag that are divisible during use to sub blocks with the same identify tag, such that the eventual return of the electronic value to the source can be monitored by the identity tags. The tags are used to audit small changes in value, are used with a tag map with tag register and can include a date and time information. While Kingdon tags do include date and time information, there is nothing found in the cited text and figures to teach or suggest that the Kingdon tags are equivalent to the claimed payment units that comprise an age information evaluable for delimiting the use of the payment unit, and each of said payment units having a respective unique payment unit-ID. Applicants' claimed payment units include a unique payment ID, but are not unique payment IDs, or tags



Hence, combining Curry with Kingdon as proposed by the Examiner will not realize applicant's invention as set forth in independent claim 11. Applicant, therefore, respectfully requests reconsideration and withdrawal of the rejection of claim 10 under Section 103(a) by Curry in view of Kingdon.

Applicant, therefore, respectfully asserts that Curry does not disclose each of the elements of his independent claim 11, and therefore requests withdrawal of the rejection of claim 11 under Section 102 in view of Curry.

**II.** Claims 5-9 were rejected under 35 USC §103(a) over Curry in view of Kingdon and still further in view of US Patent No. 6,076,075 to Teicher. In response, applicant respectfully asserts that claims 5-9 depend from claim 1, and that claim 1 is non-obvious under section 103(a) in view of Curry combined with Kingdon for at least the reasons set forth above in section **I.** of this paper. Hence, dependent claims 5-9 are non-obvious under Section 103(a) in view of Curry, Kingdon and Teicher for at least the reasons stated above distinguishing claim 1 from Curry and Kingdon under Section 103(a).

**III.** Claims 12-15 were rejected under 35 USC § 102(a) as obvious over US Patent No. 5,949,880 to Curry, et al. (Curry) in view of US Patent No. 5,988,497 to Wallace.

**Claim 12**

With respect to independent claim 12, the Examiner asserts that Curry teaches a method for managing electronic payments with an electronic purse data carrier including steps of checking for each transaction if the age information of a payment unit being part of the transaction has matching transaction count, and restricting the use of a payment unit with not match transaction

count (Fig 1; Fig. 4, step X6; col. 7, lines 50-54), that Curry does not teach checking for each transaction if age information of a payment unit exceeds a predetermined transaction age threshold level, and restricting the use of a payment with an exceeded transaction age threshold level but that Wallace discloses the feature (Fig. 1, step 110 and 118, col. 2, lines 4-29, col. 5, lines 23-34), and that under the law of Section 103(a), the proposed combination would have been obvious because Wallace's identified features can be used to assess fraud (col. 27-33).

Applicant's independent claim 12 includes a method for managing electronic payments with an electronic purse data carrier. The method in checking for each transaction if the age information of a payment unit being part of the transaction has exceeded a predetermined transaction age threshold level, and restricting the use of a payment unit with an exceeded transaction age threshold level.

Curry's cited figures and text cited refer comparing serial numbers received in a first data with a decrypted serial number (X5), and if there is a match, then the secure microprocessor-based device 108 compares the transaction count received with a decrypted transaction count (X6).

The Examiner states that Curry does not teach checking for each transaction if age information of a payment unit exceeds a predetermined transaction age threshold level, and restricting the use of a payment with an exceeded transaction age threshold level but that Wallace discloses the feature (Fig. 1, step 110 and 118, col. 2, lines 4-29, col. 5, lines 23-34). Applicants respectfully disagree.

Wallace discloses a variable personal identification number for use combating fraud. The variable personal identification numbers are generated by a user-held device that changes displayed numbers periodically, sort of like a Secure ID by RSA, Inc. Wallace at Fig. 1, col. 2, lines 4-29 and col. 5, lines 23-34, discloses talks about second tier of valuations that are prompted

or triggered by threshold criteria like transaction amount, credit limit, frequency of use, change of shipping address, or boolean combinations of two or more thresholds and conditions. If a threshold is exceeded, the second tier valuation is invoked, where the user is again prompted for the PIN. The second tier valuation could be invoked on the fifth transaction. Nowhere does Wallace indicate or disclose checking for each transaction if age information of a payment unit exceeds a predetermined transaction age threshold level, and restricting the use of a payment with an exceeded transaction age threshold level.

Applicant respectfully asserts, therefore, that claim 12 is not obvious under Section 103(a) by Curry in view of Wallace, and requests that the rejection of independent claim 12 in view of Curry and Wallace under Section 103(a) be withdrawn. Because, claims 13 and 14 depend from independent claim 12, claims 13 and 14 are patentable for at least the reasons set forth for the patentability of claim 12. Applicant, therefore, requests withdrawal of the rejection of claims 13 and 14 under Section 103(a) in view of Curry and Wallace.

#### Claim 15

With respect to claim 15, the Examiner asserts that Curry teaches a computer program product stored on a computer readable medium with computer readable program means to manage electronic payments with an electronic purse data carrier, where the carrier stores age information corresponding to payment units stored therein, the computer program performing the method of claim 12, and restates the basis of the Section 103(a) rejection of claim 12 in view of Curry and Wallace.

Applicant respectfully asserts that claim 15 is non-obvious in view of Curry and Wallace under Section 103(a) for at least the reasons set forth above for the patentability of claim 12 in

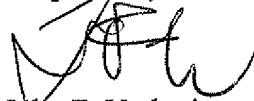
view of Curry and Wallace under Section 103(a). Applicant therefore respectfully requests withdrawal of the rejection of claim 15 in view of Curry and Wallace under Section 103(a).

#### Conclusion

It follows that each of pending claims 1-15 are patentably distinct from Curry combined with Kingdon, Curry and Kingdon combined with Teicher, and Curry combined with Wallace under Section 103(a). Applicants therefore urge the Examiner to reconsider and withdraw the rejection of claims 1-15, to allow the claims and pass the application to issue.

If the Examiner believes that a telephone conference with applicant's attorneys would be advantageous to the disposition of this case, the Examiner is asked to telephone the undersigned.

Respectfully submitted,



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